

NOV 04 2004

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FACSIMILE INFORMATION SHEET

Name of Individual: MAIL STOP AMENDMENT

Examiner: Mark L. Berch

Group Art Unit: 1624

Company: UNITED STATES PATENT & TRADEMARK OFFICE

City and State: ALEXANDRIA, VA

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From: Ann Marie Cannoni, Esquire

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Attached:
Supplemental Information Disclosure Statement (2pp)
Form PTO Form 1449 (1p)
Search Report (5pp)

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NOV 04 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Duane A. Burnett et al.	: Group Art Unit: 1624
Application No.: 10/791,910	: Examiner: Mark L. Berch
Filed: 03/03/2004	: Case No.: CV06025US01
For: Substituted Azetidinone Compounds, Formulations and Uses Thereof For The Treatment of Hypercholesterolemia	: Date: November 4, 2004

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

(a) Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, it is requested that the documents listed on the accompanying Form PTO-1449 be considered and made of record in the above-identified patent application. Copy(ies) of these documents ☒ are enclosed ☐ were filed in related U.S. Application No(s) _____ filed _____, respectively.

(b) No fee is believed to be due because:

- ☐ This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; or
- ☐ This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application; or
- ☐ This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE); or
- ☒ This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c) ☐ This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution; and:

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in

Application No. 10/792,346
September 30, 2004
Page 2 of 2

§ 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; or

☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

(d) ☐ This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and:

☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; and

☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 23-0650.

Respectfully submitted,

Dated: November 4, 2004

By: 

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Sheet 1 of 1

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: CV06025 US 01		APPLICATION NO.: 10/791,910	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT: Duane A. Burnett et al.			
<i>(Use several sheets if necessary)</i>				FILING DATE: 03/03/2004		GROUP: 1624	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL						
	AM						
	AN						
	AO						
	AP						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AQ	Copy of International Search Report for International Application No. PCT/US2004/006546 (08/04/2004) - 5 Pages					
	AR						
	AS						
	AT						
	AU						
	AV						
EXAMINER				DATE CONSIDERED			
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>							